
A BILL FOR AN ACT

RELATING TO THE HAWAII ABLE SAVINGS PROGRAM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. The purpose of this Act is to:
- 2 (1) Amend the sources of funding for the Hawaii ABLE
- 3 saving program trust fund;
- 4 (2) Amend the authorized uses of moneys in the trust fund,
- 5 including providing incentive payments to Hawaii
- 6 public school ABLE savings account owners;
- 7 (3) Appropriate funds to the department of budget and
- 8 finance to fund the incentive payments; and
- 9 (4) Appropriate funds to the department of health to fund
- 10 one full-time equivalent (1.0 FTE) permanent position
- 11 within the state council on developmental disabilities
- 12 to provide statewide outreach, advocacy, and
- 13 relationship management for the Hawaii ABLE savings
- 14 program.

15 SECTION 2. Section 256B-8, Hawaii Revised Statutes, is

16 amended to read as follows:



1 "~~[f]~~\$256B-8~~[f]~~ Hawaii ABLE savings program trust fund.

2 (a) There ~~[is]~~ shall be established the Hawaii ABLE savings
3 program trust fund within the treasury of the State. The fund
4 shall consist of:

5 (1) Any moneys received from an ABLE savings program
6 manager~~[, any]~~;

7 (2) Any moneys received from governmental or private
8 grants~~[, and any general fund appropriations for]~~;

9 (3) Any moneys appropriated by the legislature to the
10 program~~[,]~~;

11 (4) Any moneys deposited by contributors, in accordance
12 with this chapter, that are not deposited directly
13 with the program manager; and

14 (5) All interest derived from the deposit and investment
15 of moneys in the trust fund.

16 (b) ~~[The fund shall be used if the director elects to~~
17 ~~accept deposits from contributors, rather than have deposits~~
18 ~~sent directly to the program manager. The fund shall consist of~~
19 ~~any moneys deposited by contributors in accordance with this~~
20 ~~chapter which are not deposited directly with the program~~
21 ~~manager.] All moneys in the fund shall be expended by the~~



1 director to fulfill the purposes of this chapter, including to
2 provide incentive payments to Hawaii public school ABLE savings
3 account owners as a means of encouraging the participation of
4 eligible individuals and families to save funds; provided that
5 the director shall maintain and keep separate records to account
6 for any incentive payments.

7 (c) ~~[All interest derived from the deposit and investment~~
8 ~~of moneys in the savings program trust fund shall be credited to~~
9 ~~the fund.]~~ At the end of any fiscal year, all unexpended and
10 unencumbered moneys in the savings program trust fund shall
11 remain in the savings program trust fund and shall not be
12 credited or transferred to the general fund or any other funds.

13 (d) All expenses incurred by the director in developing
14 and administering the ABLE savings program shall be payable from
15 the Hawaii ABLE savings program trust fund."

16 SECTION 3. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$ or so
18 much thereof as may be necessary for fiscal year 2024-2025 to be
19 deposited into the Hawaii ABLE savings program trust fund.

20 SECTION 4. There is appropriated out of the Hawaii ABLE
21 savings program trust fund the sum of \$ or so much



1 thereof as may be necessary for fiscal year 2024-2025 to provide
2 incentive payments to Hawaii public school ABLE savings account
3 owners.

4 The sum appropriated shall be expended by the department of
5 budget and finance for the purposes of this Act.

6 SECTION 5. There is appropriated out of the Hawaii ABLE
7 savings program trust fund the sum of \$ or so much
8 thereof as may be necessary for fiscal year 2024-2025 to fund
9 one full-time equivalent (1.0 FTE) permanent position within the
10 state council on developmental disabilities to provide statewide
11 outreach, advocacy, and relationship management for the Hawaii
12 ABLE savings program.

13 The sum appropriated shall be expended by the department of
14 health for the purposes of this Act.

15 SECTION 6. In accordance with section 9 of article VII of
16 the Hawaii State Constitution and sections 37-91 and 37-93,
17 Hawaii Revised Statutes, the legislature has determined that the
18 appropriations contained in H.B. No. , will cause the state
19 general fund expenditure ceiling for fiscal year 2024-2025 to be
20 exceeded by \$ or per cent. In addition, the
21 appropriation contained in this Act will cause the general fund



1 expenditure ceiling for fiscal year 2024-2025 to be further
 2 exceeded by \$ or per cent. The combined total
 3 amount of general fund appropriations contained in only these
 4 two Acts will cause the state general fund expenditure ceiling
 5 for fiscal year 2024-2025 to be exceeded by
 6 \$ or per cent. The reasons for exceeding the
 7 general fund expenditure ceiling are that:

- 8 (1) The appropriation made in this Act is necessary to
- 9 serve the public interest; and
- 10 (2) The appropriation made in this Act meets the needs
- 11 addressed by this Act.

12 SECTION 7. If any provision of this Act, or the
 13 application thereof to any person or circumstance, is held
 14 invalid, the invalidity does not affect other provisions or
 15 applications of the Act that can be given effect without the
 16 invalid provision or application, and to this end the provisions
 17 of this Act are severable.

18 SECTION 8. Statutory material to be repealed is bracketed
 19 and stricken. New statutory material is underscored.



1 SECTION 9. This Act shall take effect on July 1, 3000.



Report Title:

B&F; DOH; State Council on Developmental Disabilities; Hawaii
ABLE Savings Program; Trust Fund; Incentive Payments;
Appropriation; Expenditure Ceiling

Description:

Amends the sources of funding for the Hawaii ABLE Saving Program
Trust Fund. Amends the authorized uses of moneys in the trust
fund, including providing incentive payments to Hawaii public
school ABLE account owners. Appropriates funds. Effective
7/1/3000. (HD1)

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not legislation or evidence of legislative intent.*

